

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

LAURA BEISEL,

3:12-cv-00623-AC

Plaintiff,

ORDER

v.

CAROLYN W. COLVIN, Acting
Commissioner, Social Security
Administration,¹

Defendant.

BROWN, Judge.

Magistrate Judge John V. Acosta issued Findings and Recommendation (#17) on May 20, 2013, in which he recommends this Court affirm the Commissioner's decision denying Plaintiff's applications for disability insurance benefits and supplemental security income and dismiss this matter. Plaintiff filed timely

¹ Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2013. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin should be substituted for Michael J. Astrue as Defendant in this case. No further action need be taken to continue this case by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405.

Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). See also *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*).

This Court has reviewed the record *de novo*, including Plaintiff's Objections, and concludes the determinations of the Administrative Law Judge (ALJ) with respect to Plaintiff's mental limitations are supported by substantial medical evidence in the record. In addition, the Court concludes the ALJ's determination to procure additional evidence from a comprehensive psychological evaluation of Plaintiff instead of a Medical Expert was not prejudicial to Plaintiff.

Accordingly, the Court does not find any error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Acosta's Findings and

Recommendation (#17). Accordingly, the Court **AFFIRMS** the Commissioner's decision and **DISMISSES** this matter.

IT IS SO ORDERED.

DATED this 8th day of August, 2013.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge